



# PUBLIC HEARING NOTICE

**April 10, 2008**

TO: INTERESTED PARTIES  
 FROM: EXECUTIVE OFFICER / APCO  
 SUBJECT: **PUBLIC HEARING: PROPOSED AMENDMENTS TO REGULATION 3: FEES**

On **Wednesday, April 16, 2008**, the Board of Directors of the Bay Area Air Quality Management District will conduct a public hearing to accept testimony on proposed amendments to District Regulation 3: Fees. California Health and Safety Code Section 41512.5 requires a district board, prior to adopting or revising fees applicable to emission sources that are not permitted, to hold a public hearing at least 30 days prior to the meeting of the district board at which the fees are adopted or revised. Notice is also given that the Board of Directors will conduct a second public hearing on **Wednesday, May 21, 2008**, at the District Headquarters Board Room to consider adoption of the proposed amendments to District Regulation 3: Fees and to approve the filing of a Notice of Exemption from the California Environmental Quality Act (CEQA). The hearing will be held in the 7th floor Board Room of the District Office, 939 Ellis Street, San Francisco. **District Board meetings commence at 9:45 a.m.**

The amendments to the District's fee regulation would be effective on July 1, 2008, and would increase fee revenue in order to help the District recover a greater share of the costs the District incurs related to implementing and enforcing regulatory programs for stationary sources of air pollution. The following changes in the District's Fee Schedules are proposed:

Schedule A	Hearing Board	15% increase
Schedule B	Combustion of Fuels	3% increase
Schedule C	Stationary Containers for the Storage of Organic Liquids	No change
Schedule D	Gasoline Transfer at Gasoline Dispensing Facilities, Bulk Plants and Terminals	15% increase
Schedule E	Solvent Evaporating Sources	15% increase
Schedule F	Miscellaneous Sources	9% increase
Schedule G1	Miscellaneous Sources	9% increase
Schedule G2	Miscellaneous Sources	6% increase
Schedule G3	Miscellaneous Sources	No change
Schedule G4	Miscellaneous Sources	No change
Schedule G5	Miscellaneous Sources	No change
Schedule H	Semiconductor and Related Operations	6% increase
Schedule I	Dry Cleaners	9% increase

Schedule K	Solid Waste Disposal Sites	15% increase
Schedule L	Asbestos Operations	9% increase
Schedule M	Major Stationary Source Fees	6% increase
Schedule N	Toxic Inventory Fees	3% increase
Schedule P	Major Facility Review Fees	15% increase
Schedule Q	Excavation of Contaminated Soil and Removal of Underground Storage Tanks	3% increase
Schedule R	Equipment Registration Fees	No change to existing fees
Schedule S	Naturally Occurring Asbestos Operations	3% increase

Fees for filing permit applications for new and modified sources, duplicate permits, emission banking filing and withdrawal, alternate compliance plans, and permit renewal processing would increase 6%.

New fees would be added for equipment registration of diesel engines (required under State regulation for certain diesel engines used at agricultural operations) as follows: \$120 for initial registration, and an annual fee of \$80. New fees would also be added for equipment registration of non-halogenated dry cleaning machines as follows: \$180 for initial registration, and an annual fee of \$120.

A new Schedule T would apply to District-permitted facilities with emissions of one or more greenhouse gas. The fee would be assessed on an annual basis at a rate of \$0.044 per metric ton of carbon dioxide equivalent emissions. Fees would not be assessed for emissions of biogenic carbon dioxide.

The District has determined that these amendments to Regulation 3 are exempt from provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) pursuant to State CEQA Guidelines, Sections 15061, subd. (b)(3) and 15273. The amendments increase District fees that are used to meet District operating expenses. The amendments are administrative in nature, do not affect air emissions from any sources, and can be seen with certainty to have no possibility of causing significant environmental effects. The District intends to file a Notice of Exemption pursuant to State CEQA Guidelines, Section 15062.

A staff report for the proposed amendments to Regulation 3, including the proposed regulatory language (in strikethrough/underline format), are available on the District's website at [http://www.baaqmd.gov/pln/ruledev/regulatory\\_public\\_hearings.htm](http://www.baaqmd.gov/pln/ruledev/regulatory_public_hearings.htm). Copies are also available by calling the Engineering Division at (415) 749-4990. Staff will discuss the proposed amendments at the workshop, and will receive written comments until **Monday, May 12, 2008**. Please direct comments or questions to Brian Bateman, the District's Director of Engineering, at (415) 749-4653, or electronically at [bbateman@baaqmd.gov](mailto:bbateman@baaqmd.gov).

**PUBLIC TRANSPORTATION**  
**MUNI -- #47 AND 49 NORTH AND SOUTH ON VAN NESS AVENUE**  
**BART -- CIVIC CENTER STATION 8<sup>TH</sup> AND MARKET STREETS**  
Attendees are encouraged to ride public transit, rideshare, bicycle, walk or use other non-motorized modes to and from the District.